

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**IN RE: NEW ENGLAND  
COMPOUNDING PHARMACY, INC.  
PRODUCTS LIABILITY LITIGATION**

**MDL No. 1:13-md-2419-FDS**

**This Document Relates To:**

**All Actions**

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**ORDER CONCERNING INTERVENTION BY STATE OF TENNESSEE**

**SAYLOR, J.**

This Order shall govern the State of Tennessee’s intervention in particular cases that are part of *In Re: New England Compounding Pharmacy, Inc., Products Liability Litigation*, MDL No. 1:13-md-2419-FDS (the “MDL”). The Court, having considered the Joint Stipulation submitted by the Plaintiffs’ Steering Committee (“PSC”) and the State of Tennessee, orders as follows:

1. The State of Tennessee shall be permitted to intervene pursuant to Federal Rule of Civil Procedure 5.1(c) in all cases transferred into this MDL challenging the constitutionality or validity of a statute under the Tennessee Code;
2. The State of Tennessee and the PSC shall, from time to time, serve notice in the MDL docket identifying the cases in which the State of Tennessee shall be an intervenor. Such notices need not be filed within 60 days of the State of Tennessee receiving notice pursuant to Federal Rule of Civil Procedure 5.1(a);
3. Upon the filing of a notice pursuant to the foregoing paragraph, any party wishing

to object to the intervention shall have 7 days from the notice to file an objection to the intervention. If no objection is filed, the intervention shall become effective.

**So Ordered.**

/s/ F. Dennis Saylor  
F. Dennis Saylor IV  
United States District Judge

Dated: October 17, 2013